



A New Jersey Limited Liability Company

www.krollfirm.com

Metro Corporate Campus I
99 Wood Avenue South
Suite 307
Iselin, New Jersey 08830
Tel: 732-491-2100
Fax: 732-491-2120

ATTORNEYS
Albert G. Kroll *
Raymond G. Heineman, Jr. †
Curtiss T. Jameson
Gary A. Carlson
Michael T. Carton ■
Kourtney J.A. Knop †
Michael G. McNally ▲
James M. Monica

BAR ADMISSIONS
† NJ & PA Bar
▲ NJ & NY Bar
* NJ, PA & DC Bar
■ NJ, NY & DC Bar

May 26, 2010

VIA ELECTRONIC FILING

Honorable Dennis M. Cavanaugh
United States District Court
Martin Luther King, Jr., Federal Bldg. & U.S. Courthouse
50 Walnut Street, Room 451
Newark, New Jersey 07101

**Re: Kane Builders, Inc. v. Southern New Jersey Building Laborers District
Council, LIUNA, AFL-CIO**
Civil Action No.:04-3315 (DMC)

Dear Judge Cavanaugh:

Pursuant to discussions with Magistrate Judge Mark Falk, Defendant Laborers District Council requests withdrawal of its Summary Judgment Motion, without prejudice to its re-filing. In this regard, it is my understanding that Magistrate Falk will set a briefing schedule at the Status/Settlement Conference scheduled for June 10, 2010.

Thank you for your attention to this matter.

Respectfully submitted,

S/ RAYMOND G. HEINEMAN

RAYMOND G. HEINEMAN

RGH:sm

cc: Jose Colon
Patrick Byrne
David J. Garraux, Esq.